

CHALLENGES IN USER PROTECTION

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Regulatory framework in Serbia

**Law
on electronic
communications**

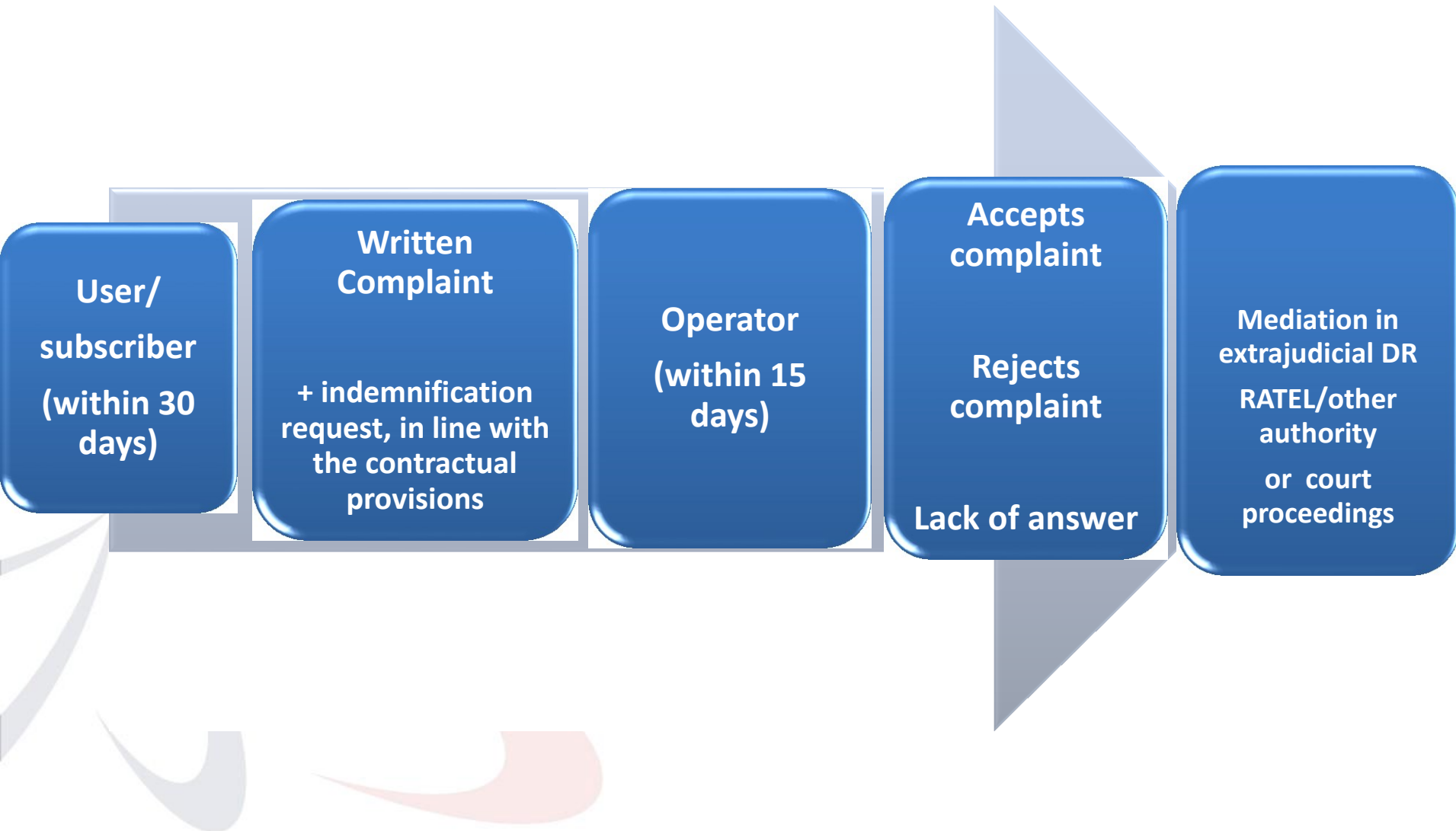
By-laws

Regulating general conditions
for activities in the EC sector, the QoS
parameters, obligations of VAS
operators, number portability, etc

Other regulations

Law on consumer protection, Law on personal data
protection, etc

Mechanism for protection of users/subscribers

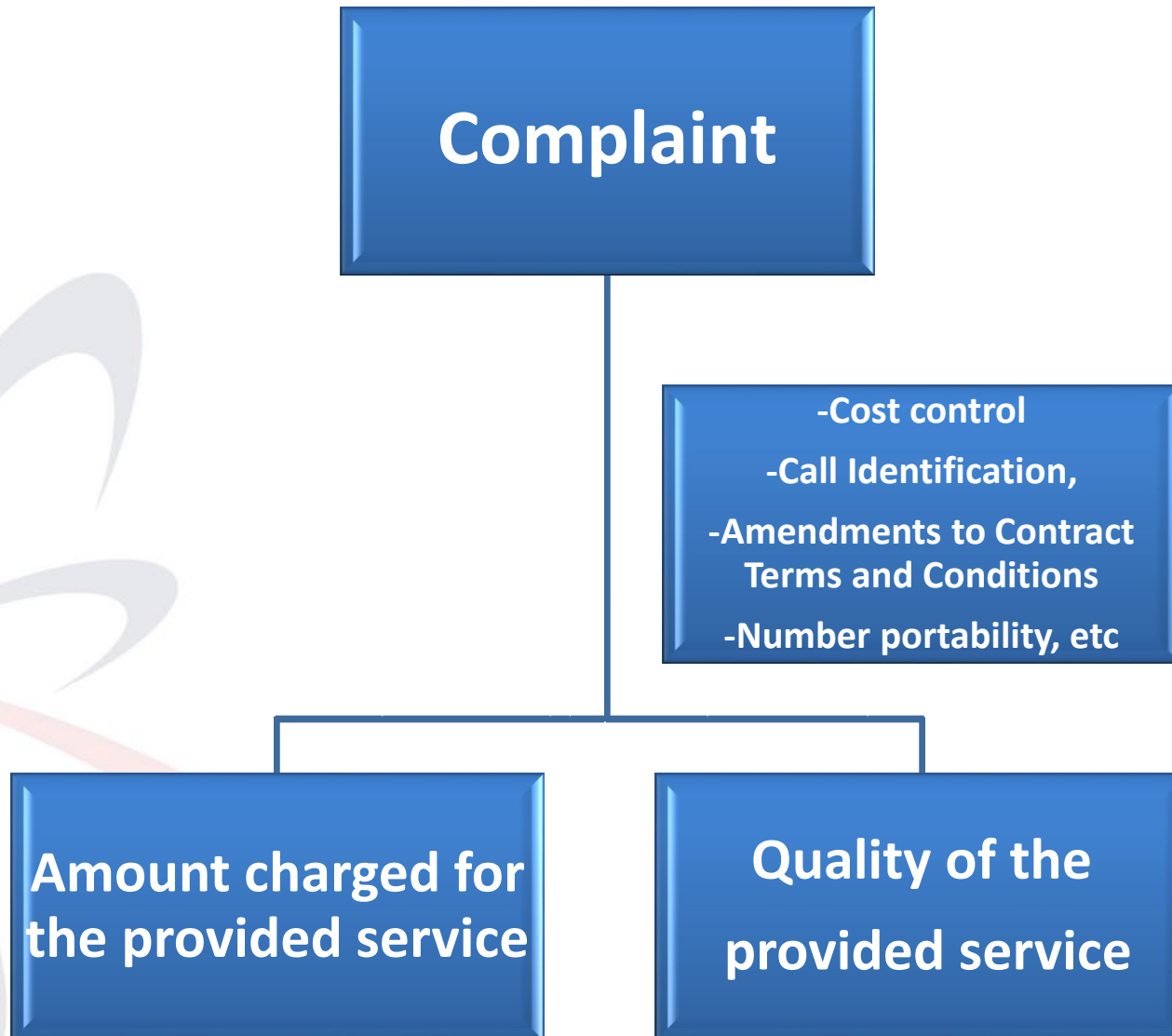


Who can submit a complaint?

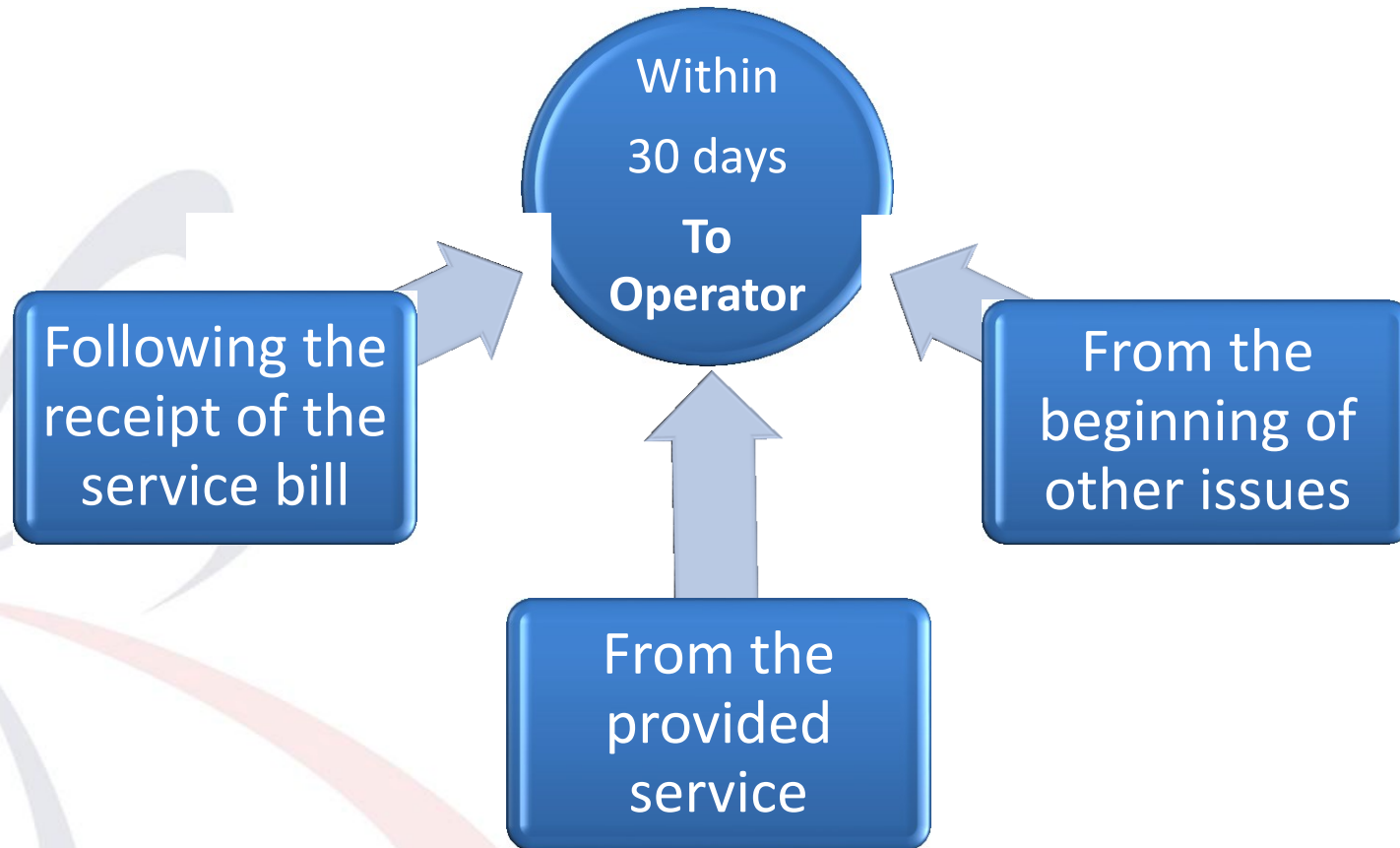
User is a natural person or legal entity who uses or requires a publicly available electronic communications service

Subscriber is any natural person or legal entity who or which is a party to a contract with an operator of publicly available electronic communications services for the supply of such services

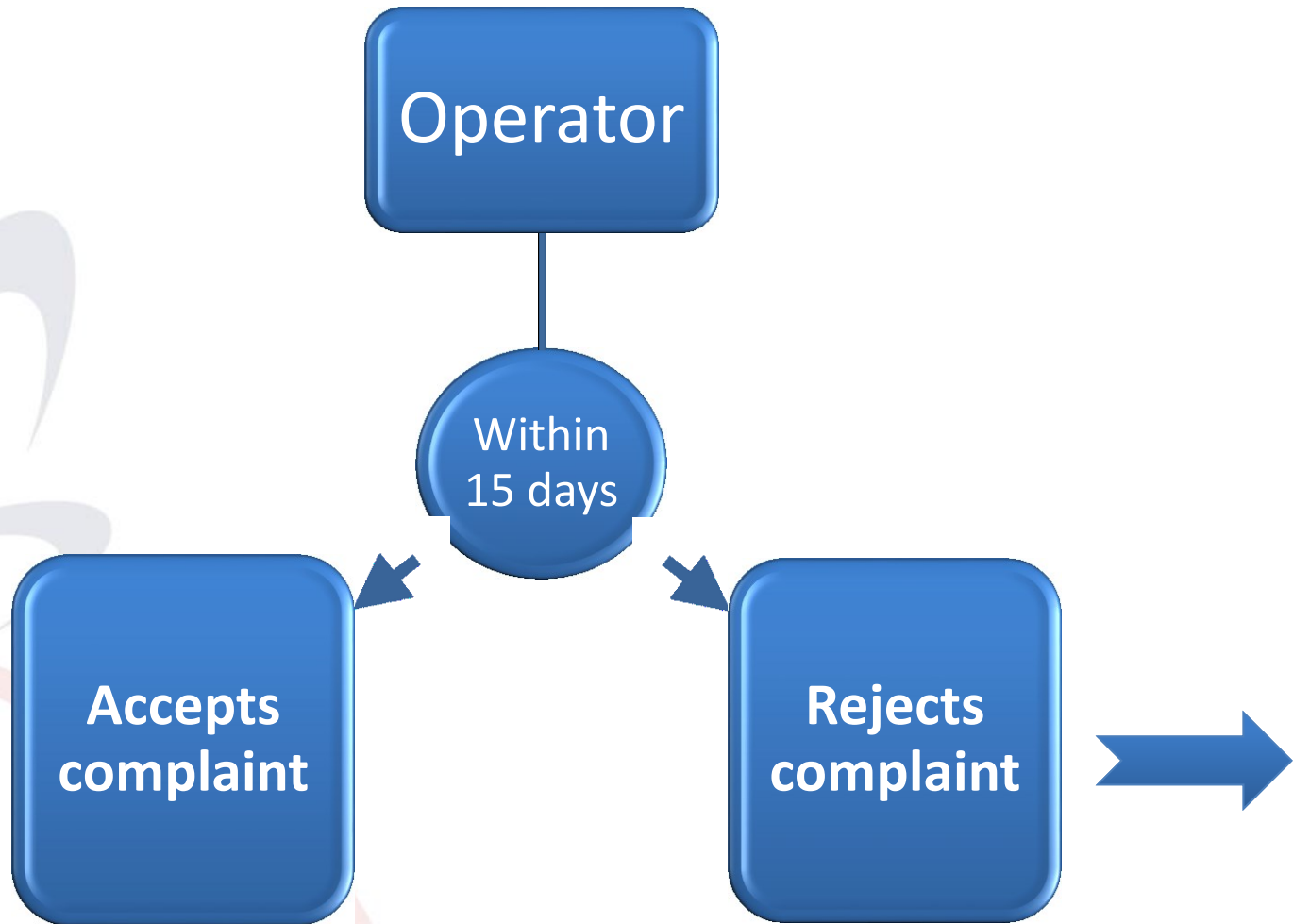
Subject of complaint



Commencement of the complaint procedure



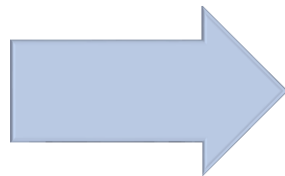
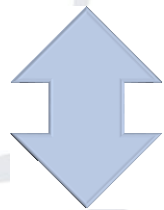
Resolution of complaints (1)



Resolution of complaints (2)

If Operator
rejects
complaint

If Operator
does not
answer in
due time



User/Subscriber may
adress the RATEL /another
authority to mediate in
extrajudicial DR
or
initiate court proceeding

Mediation procedure by RATEL



RATEL's role in mediation procedure

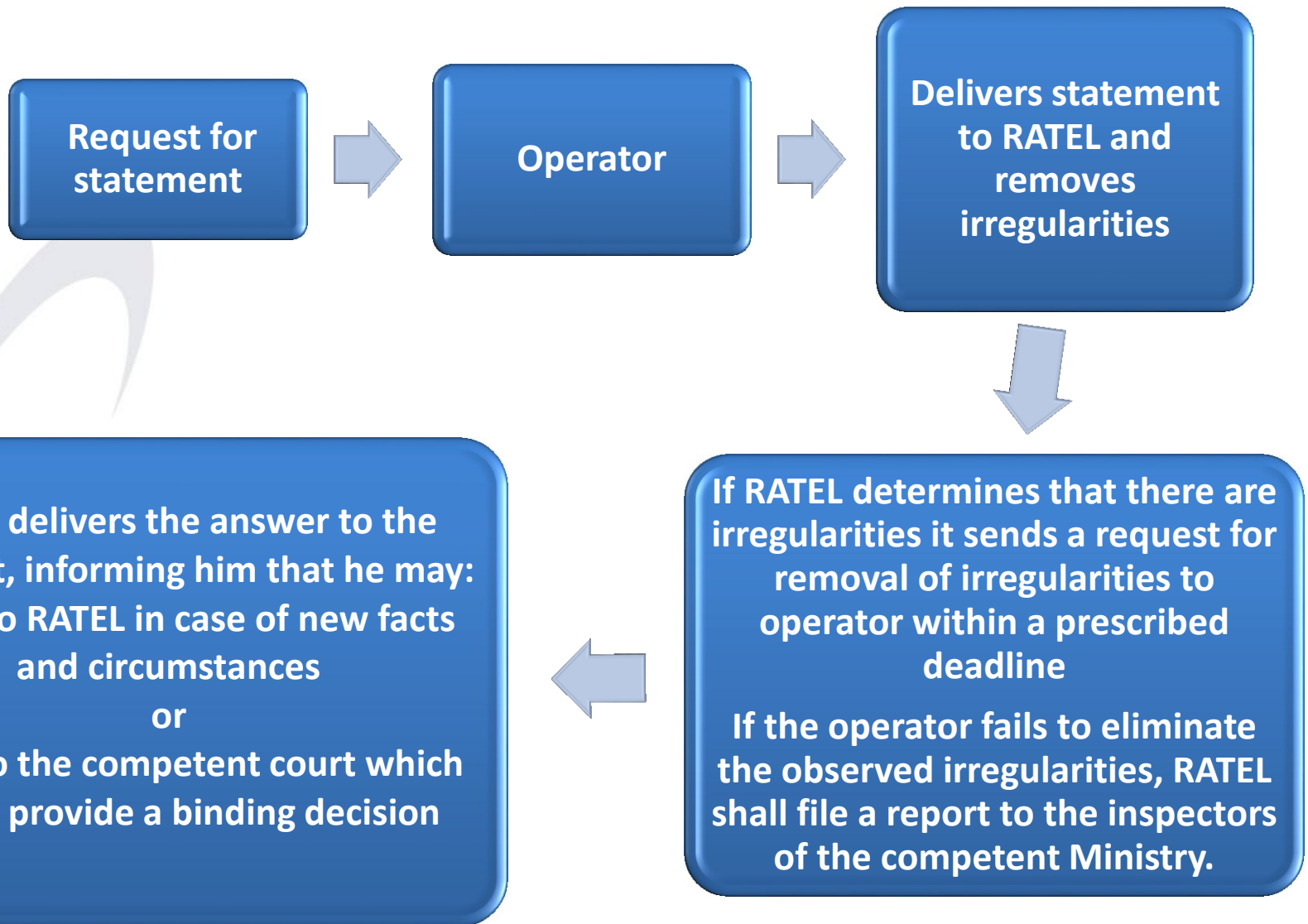


RATEL is the mediator in extrajudicial dispute resolution between the user/subscriber and the operator of electronic communications

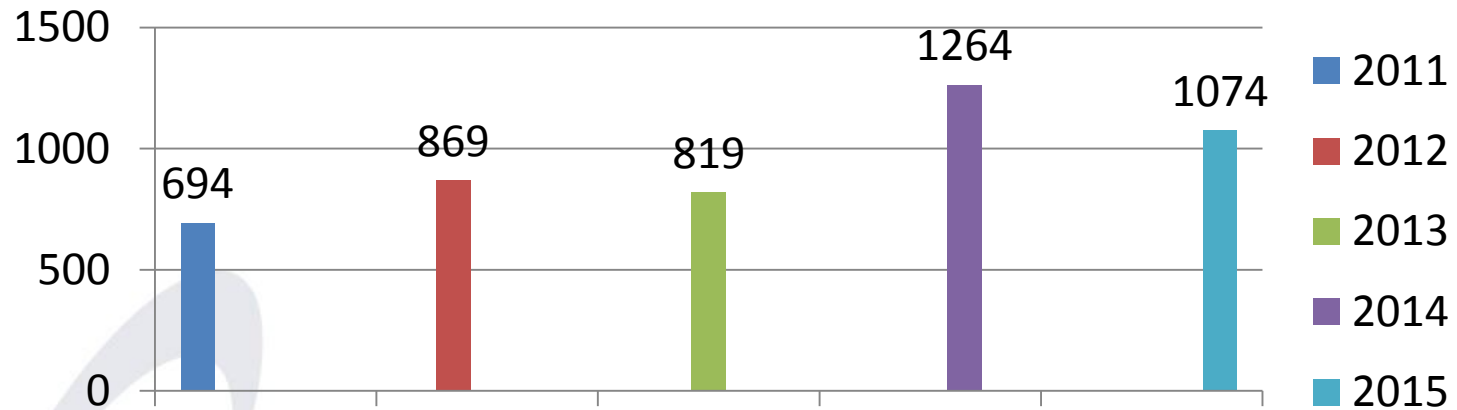
In this procedure the rules prescribed by the Law on administrative procedure are not applicable -

RATEL's decisions are not binding


Mediation procedure by RATEL



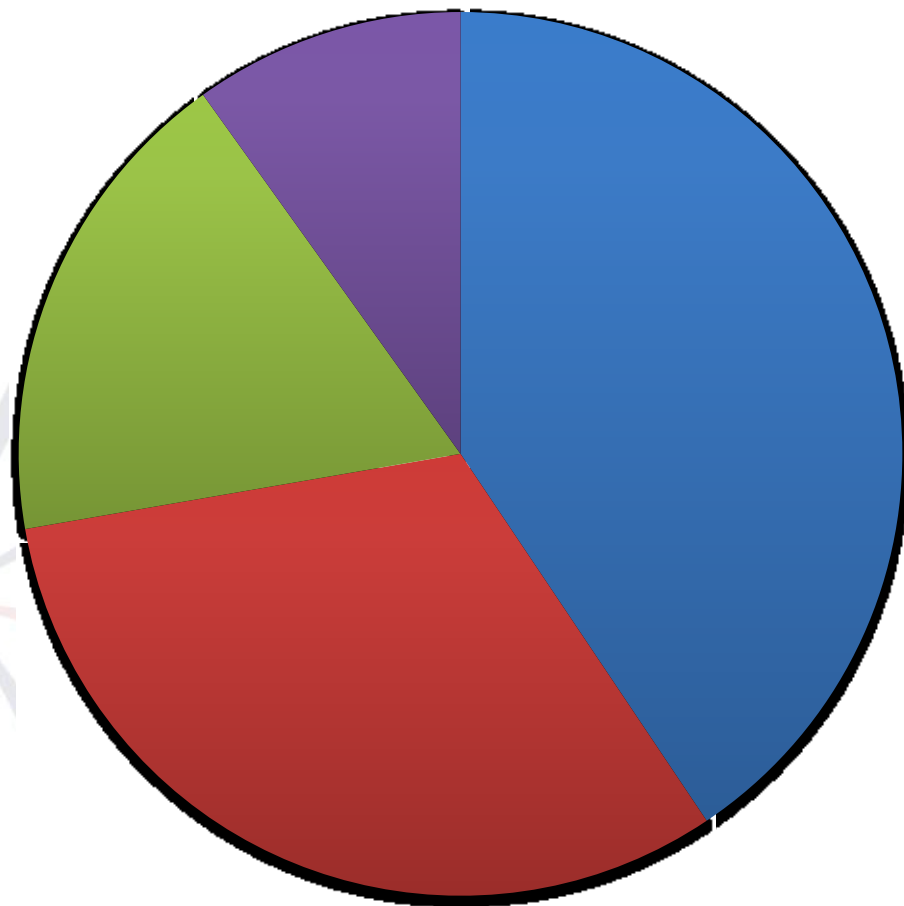
Increasing number of complaints



Factors that cause an increase in the number of complaints:

- 
- Increase in number of users of electronic communications
 - Increase in number of electronic communications services
 - Wide-spread knowledge of the possibility of submitting a claim to RATEL

Structure of submitted complaints



- Charged amount
- QoS (mostly internet)
- Number portability
- Other complaints

Mediation or Dispute Resolution?

Mediation

Dispute
resolution

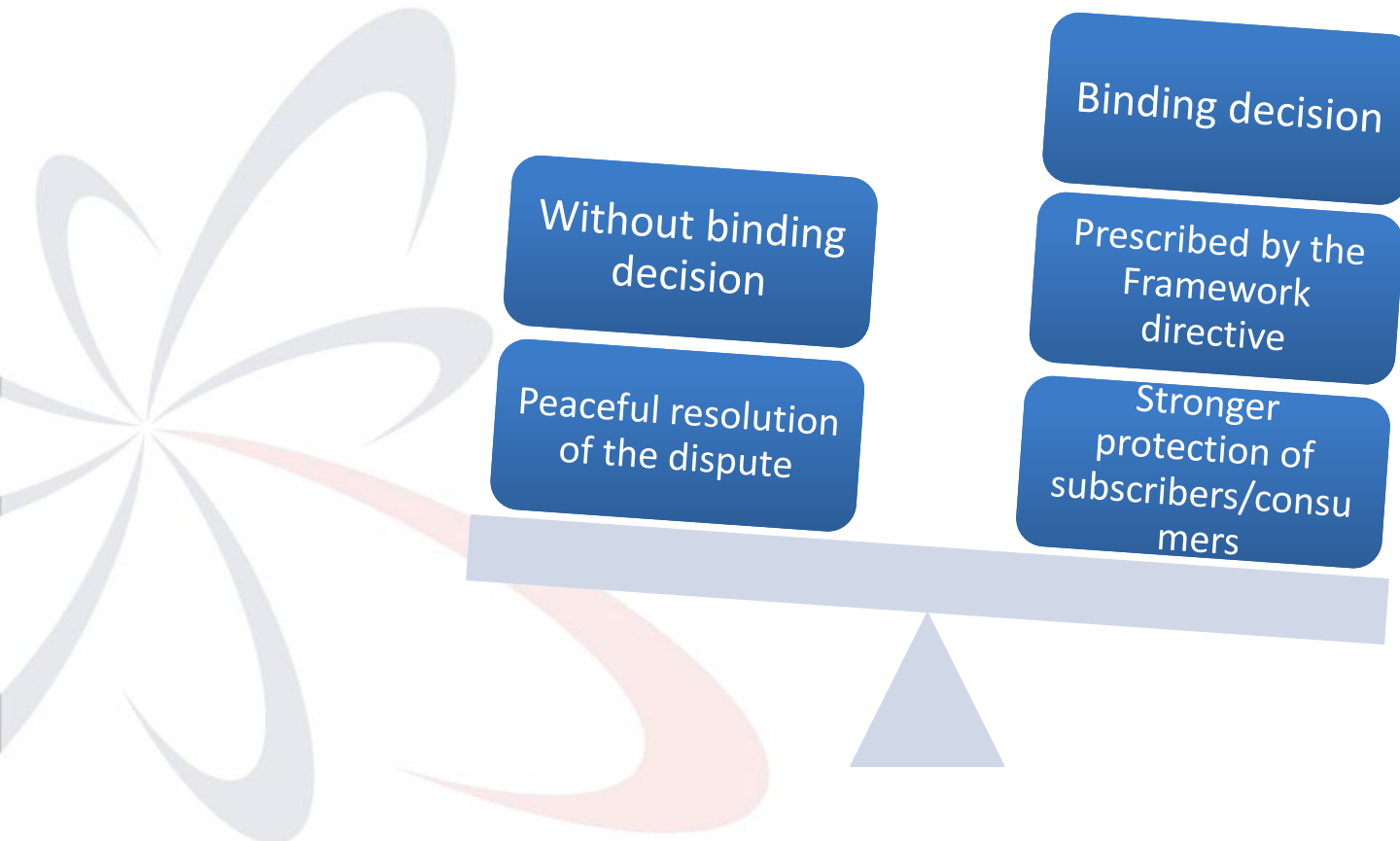
Without binding
decision

Peaceful resolution
of the dispute

Binding decision

Prescribed by the
Framework
directive

Stronger
protection of
subscribers/consumers



Thank you for your attention!

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and Postal Services - RATEL***

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